

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Section 712
Title 14, California Code of Regulations
Re: Importation of Hunter-harvested Deer and Elk

- I. Date of Initial Statement of Reasons: January 11, 2008
- II. Date of Pre-Adoption Statement of Reasons: March 26, 2008
- III. Date of Final Statement of Reasons: May 15, 2008
- IV. Dates and Locations of Scheduled Hearings:
- (a) Notice Hearing: Date: February 8, 2008
Location: San Diego, CA
- (b) Discussion Hearing: Date: March 7, 2008
Location: Stockton, CA
- (b) Discussion Hearing: Date: April 11, 2008
Location: Bodega Bay, CA
- (c) Adoption Hearing: Date: May 9, 2008
Location: Monterey, CA
- V. Update:
- The originally proposed regulatory text of Section 712 was not changed.
- VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those Considerations:
- No public comments, written or oral, were received during the public comment period.
- VII. Location and Index of Rulemaking File:
- A rulemaking file with attached file index is maintained at:
California Fish and Game Commission
1416 Ninth Street

Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

The section needs clarification and the practical and direct way of doing that is to amend the wording of the present section.

(b) No Change Alternative:

The no change alternative was considered and rejected because the section can better serve its purpose by having some portions of the section clarified.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

- The proposed change is not likely to have any negative economic impact.
- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

Informative Digest/Policy Statement Overview

Section 712 has become one of the higher profile regulations due to the Department's educational and enforcement efforts. Noteworthy progress has been made in educating the public about chronic wasting disease and the illegal importation of cervid (deer, elk) body parts.

Clarification of Section 712 can help further educate the public and supply more enforcement consistency.

It is prudent that potential questions, concerns and potential enforcement problems get addressed. Questions, problems and concerns concerning Section 712 can be directly addressed by amending the present wording of the section. By making the section more clear our constituents and enforcement officers can more readily understand the nuances of the mandates within the section. The proposal also allows additional and reasonable flexibility.

The proposal will clarify what is meant by a clean skull plate, clarifies that processed meat cannot include spinal column or portions of the head, allows noncommercial processed cuts of meat to be imported, and clarifies that antlers in the velvet stage are permitted for importation.